

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application

PATENT APPLICATION


OCT 28 2005

Inventor(s): Steve Mitchell
Appln. No.: 10/685,139
Confirm. No.: 4489
Filed: October 14, 2003
Title: INTERSPINOUS PROCESS AND
SACRUM IMPLANT AND METHOD

Art Unit: 3733
Examiner: Hoffman, Mary C.
Atty. Docket No.: KLYC-01075U1

Customer No. 23910

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8
I hereby certify that this correspondence is being transmitted by facsimile to the
Commissioner for Patents, the United States Patent and Trademark Office, Facsimile
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Mathew Ott
Signature Date: 10/28/2005 (Signature)

REPLY TO RESTRICTION/ELECTION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Reply is in response to the Office Action mailed October 19, 2005, in the subject application.

Applicant elects without traverse to prosecute the invention of Group I, including claims 1-69 and 77, directed to a vertebral implant. Applicant further elects species "A. Fig. 3A-3C" which reads on at least claims 1-69 and 77.

No fee is believed due in connection with this paper. However, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: 10/28/05By: 

Anthony G. Craig
Reg. No. 50,342

FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800
Facsimile: (415) 362-2928
Customer No. 23910